

Notice of Allowability

Application No.

10/673,148

Examiner

Joseph F Edell

Applicant(s)

LIU, LAUSAN CHUNG-HSIN

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 30 September 2003.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on 30 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Muncy on 11 August 2004.

The application has been amended as follows:

- a. claim 1, line 6, "on the bottom" was deleted;
- b. claim 1, line 8, "a seat dock" was replaced with --the seat dock--;
- c. claim 1, line 9, "has" was replaced with --having--;
- d. claim 1, lines 13-14, "have one end pivotally coupled" was replaced with --each have one end pivotally coupled at a coupling end--;
- e. claim 1, line 15, "a fastening element" was replaced with --a second fastening element--;
- f. claim 1, line 21, "corresponding to" was replaced with --cooperating with--;
- g. claim 1, line 25, "lying" was replaced with --lying angle--;
- h. claim 4, lines 3-4, "retaining element" was replaced with --second retaining element--.

The following is an examiner's statement of reasons for allowance:

U.S. Patent No. 5,957,780 to Grazioli discloses a swing rack that includes a support rack (Fig. 1) with legs (Fig. 1) and a top rail (Fig. 1), two suspension units 7 (Fig. 1) coupled to the top rail, a seat dock (Fig. 1) with a seat rack 2 (Fig. 1) and a backrest rack 3 (Fig. 1) that are each pivotally coupled at a coupling end, a retaining element 6 (Fig. 1), and a stretcher 8 (Fig. 1) bridging the legs wherein the backrest rack is adjustable relative to the seat rack to form a sitting angle and a lying angle.

U.S. Patent No. 6,348,005 B1 to Tseng discloses a swing rack that includes a support rack 1 (Fig. 1) with legs 11 (Fig. 1) and a top rail 12 (Fig. 1), two suspension units 21 (Fig. 1) coupled to the top rail, a frame dock 3 (Fig. 1) with two side frames 330,340 (Fig. 1) and a loading frame 31 (Fig. 1), an anchor dock 44 (Fig. 2) fastened to the load frame by an anchor member (Fig. 2), a seat dock 4 (Fig. 1) with a seat rack 41 (Fig. 1) and a backrest rack 42 (Fig. 1) that are each pivotally coupled at a coupling end 45 (Fig. 2), a bracing bracket 43 (Fig. 1) on the backrest rack, and a first anchor member 35 (Fig. 1) cooperating with the bracing bracket to form a sitting angle wherein the backrest rack is adjustable relative to the seat rack to form a lying angle.

U.S. Patent No. 6,648,768 B1 to Tseng discloses a swing rack that includes a support rack 2 (Fig. 2) with legs 21 (Fig. 2) and a top rail 22 (Fig. 2), two suspension units 233 (Fig. 2) coupled to the top rail, a frame dock 4 (Fig. 2) with two side frames 41 (Fig. 2) and a loading frame 42,43 (Fig. 2), an anchor member 51 (Fig. 3) fastened to the load frame by an anchor member 524,533 (Fig. 3), a seat dock 6 (Fig. 2) with a seat rack 61 (Fig. 2) and a backrest rack 62 (Fig. 2), a retaining element 73 (Fig. 5), and a

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first anchor member 71 (Fig. 5) cooperating with the retaining element wherein the backrest rack is adjustable relative to the seat rack to form a sitting angle and a lying angle.

U.S. Patent No. 6,672,665 B1 to Tseng discloses a swing rack that includes a support rack (Fig. 2) with legs 12 (Fig. 2), two suspension units 21 (Fig. 3), a frame dock (Fig. 3) with two side frames 22 (Fig. 3) and a loading frame (Fig. 3), an anchor member 4 (Fig. 1) fastened to the load frame by an anchor member 41 (Fig. 4), a trough 411 (Fig. 4) in the anchor dock, a seat rack (Fig. 3) with a seat rack 31 (Fig. 3) and a backrest rack 32 (Fig. 3), a coupling end (Fig. 3) connecting the seat rack and the backrest rack through a second fastening element 33 (Fig. 3), a retaining element 53 (Fig. 7), a stretcher 13 (Fig. 4) bridging the legs, and a second anchor member 54 (Fig. 7) coupling with the stretcher wherein the backrest rack is adjustable relative to the seat rack to form a sitting angle and a lying angle.

However, the prior art fails to disclose a swing rack including a seat rack and a backrest rack that each have one end pivotally coupled at a coupling end and fastened thereon through a second fastening element in a coaxial manner, a bracing bracket on a backrest rack that couples with a retaining element, a first anchor member cooperating with the retaining element so that the bracing bracket forms a sitting angle, and a second anchor member coupled to a stretcher bridging legs of a support rack and latching the bracing bracket at a lying angle.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F Edell whose telephone number is (703) 605-1216. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JE
August 12, 2004


Peter M. Cuomo
Supervisory Patent Examiner
Technology Center 3600